

REMARKS

Claims 1-4, 6 and 9 are pending in the application.

As an initial matter, Applicant acknowledges and appreciates the Examiner's indication of allowable subject matter. New claim 9 incorporates all of the elements of deleted claims 7 and 8.

The Examiner has objected to the drawings. Claim 5 has been deleted herein. It is believed this addresses the objection.

Claims 1-6 have been rejected under 35 U.S.C. 112, second paragraph. Claim 5 has been deleted herein, and claim 1 has been amended herein. It is believed these amendments to the claims overcome these rejections.

Claims 1-3, 5 and 7 have been rejected under 35 U.S.C. § 102(b) over German Publication No. DE 4243451 A1 to Giese ("Giese"). This rejection is respectfully traversed as follows.

As mentioned above, claim 7 has been deleted and incorporated into new independent claim 9. It is respectfully submitted that Giese does not teach or suggest all of the elements of independent claim 1 or the claims that depend therefrom. For instance, Giese does not teach or suggest a mobile element and a mobile axis being substantially perpendicular to and carried by said mobile element, as recited in independent claim 1. Applicant respectfully disagrees that the pin 7 of Giese can be characterized as both a mobile element and a mobile axis carried by the mobile element. In any event, to the extent the pin 7 of Giese is deemed to be both a mobile element and a mobile axis carried by the mobile element, then the mobile element is not substantially perpendicular to the mobile axis, but is in the same plane as the mobile axis, i.e., the pin 7 is in the same plane as itself.

With respect to claim 2, it is respectfully submitted that pin 21 of Giese is not *hinged* about a fixed axis. The term "hinged" has a known meaning in the mechanical arts, and an element cannot be hinged to another via an arm.

For at least these reasons, it is respectfully submitted that independent claim 1 and the claims that depend therefrom are patentable over Giese.

Claim 3 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Giese in view of U.S. Patent Application Publication No. 2003/0216203 to Oliver et al. ("Oliver"). These grounds for rejection are respectfully traversed for the reasons set forth below.

Claim 3 depends from claim 1 and is believed patentable over Giese for at least the reasons discussed above. It is believed Oliver does not make up for the deficiencies of Giese because Oliver does not teach or suggest a mobile element and a mobile axis being substantially perpendicular to and carried by said mobile element, as recited in independent claim 1.


For at least these reasons, it is respectfully submitted that claim 3 is patentable over Giese in view of Oliver.

Conclusion

It is believed that all objections and rejections in the application have been addressed and that the present application is in condition for allowance. A favorable reconsideration and allowance of the pending claims is solicited. If necessary, the Commissioner is hereby authorized in this and concurrent replies to charge payment (or credit any overpayment) to Deposit Account No. 50-2298 for any additional required fees.

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Respectfully submitted,


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